

AN ORDINANCE

98564

**ACCEPTING A PROPOSAL AND AUTHORIZING THE CITY MANAGER OR HER DESIGNEE TO EXECUTE A ONE-YEAR CONTRACT WITH WASTE MANAGEMENT OF TEXAS, INC., IN THE APPROXIMATE AMOUNT OF \$434,419.20, BASED ON UNIT PRICING, TO PROVIDE MUNICIPAL SOLID WASTE COLLECTION, DISPOSAL, AND RECYCLING SERVICES IN THE LONGS CREEK AREA FOR THE PERIOD JANUARY 1, 2004, TO DECEMBER 31, 2004; AND AUTHORIZING UP TO THREE (3) ONE-YEAR RENEWAL OPTIONS UPON THE APPROVAL OF THE DIRECTOR OF ENVIRONMENTAL SERVICES; AND PROVIDING FOR PAYMENT.**

\* \* \* \* \*

**WHEREAS,** the City of San Antonio has solicited proposals from contractors to provide municipal solid waste collection, disposal, and recycling services to the Longs Creek Area for the period January 1, 2004, to December 31, 2004; and

**WHEREAS,** Waste Management of Texas, Inc., submitted the proposal most favorable to the City; **NOW THEREFORE,**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO:**

**SECTION 1.** The proposal of Waste Management of Texas, Inc., is hereby accepted to provide municipal solid waste collection, disposal, and recycling services to the Longs Creek Area for the period January 1, 2004, to December 31, 2004, in the approximate calculated sum of \$434,419.20, which sum is extrapolated from a proposed unit price of \$8.64 per residential unit per month.

**SECTION 2.** The Director of Environmental Services is hereby authorized to execute one or more optional one (1) year terms, up to a maximum of three such optional terms, to extend this contract on conditions and provisions identical to those of the initial agreement, allowing, however, for annual price adjustments expressed in the formula contained in the contract. Any substantial amendment or adjustment to said contract not expressed in the original contract documents shall require City Council Approval.

**SECTION 3.** The City Manager, Assistant City Manager, or an Assistant to the City Manager is authorized to execute the Agreement form appended hereto as **Attachment A**, incorporated herein verbatim for all purposes, which Agreement in substantial form integrates all contract documents to effect the entire understanding between the City of San Antonio and Waste Management of Texas, Inc., including but not limited to a beneficial price adjustment evidenced by letter from Christine Iden ( Waste Management of Texas) to Rose Ryan (City's Solid Waste Services), dated December 3, 2003.

**SECTION 4.** The following financial adjustments are authorized to effect this Ordinance:

(a) Funds in the estimated amount of \$434,419.20 are authorized to be encumbered in Fund 55-001000 (Environmental Services Operating Fund) in Index Code 480681 entitled "Fees To Professional Contractors" and are made payable to Waste Management of Texas, Inc. for services for the period of January 1, 2004 through December 31, 2004. Funding for the remaining period of the contract is subject to the annual appropriation of funds by the City Council.

(b) If subsequent financial adjustments must be made to effect this Ordinance, other than those enumerated above, the Director of Finance is authorized to make such adjustments with consent of the City Manager or the City Manager's designee.

**SECTION 5.** This Ordinance shall be effective on December 14, 2003.

**PASSED and APPROVED** this 4<sup>th</sup> day of December, 2003.

ATTEST: Mary Lou Rodriguez  
for City Clerk

Ed Garza  
MAYOR  
EDWARD D. GARZA

Approved as to form: Samy Chae Ferris  
for City Attorney